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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 LEON E. MORRIS,

11 Plaintiff,

12 v.

13 JOELSON,

14 Defendant.
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Case No. 1:20-cv-00165-NONE-EPG (PC)

ORDER FOR PLAINTIFF TO SHOW CAUSE
WHY THIS CASE SHOULD NOT BE
DISMISSED FOR FAILURE TO COMPLY
WITH COURT ORDERS AND FAILURE TO
PROSECUTE

THIRTY-DAY DEADLINE

16 On August 31, 2020, the Court issued an order setting a scheduling conference, requiring
17 the parties to file scheduling conference statements, and requiring the parties to exchange initial
18 disclosures. (ECF No. 19). The Court attempted to hold the scheduling conference on December
19 14, 2020. (ECF No. 23). However, Plaintiff did not attend (the Court was informed it was due to
20 a medical issue). (Id.). Plaintiff also failed to file a scheduling conference statement or provide
21 Defendant with his initial disclosures.

22 After the conference, the Court issued another order requiring Plaintiff to provide
23 Defendant with his initial disclosures.¹ (ECF No. 24, pgs. 1-2).

24 On May 28, 2021, Defendant filed a motion to modify the scheduling order. (ECF No.
25 34). According to Defendant, Plaintiff once again failed to provide Defendant with his initial
26 disclosures. (Id. at 4). Additionally, Plaintiff failed to respond to Defendant's written discovery
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28 ¹ As the Court did not reset the scheduling conference, the Court did not direct Plaintiff to file a scheduling
conference statement.

1 requests. (Id.).

2 Moreover, on May 12, 2021, Defendant filed a motion to dismiss under 28 U.S.C §
3 1915(g), to declare Plaintiff a vexatious litigant, requiring posting of security, and issuance of
4 pre-filing order. (ECF No. 30). Plaintiff's deadline to respond has passed, and Plaintiff failed to
5 respond to the motion.

6 Finally, Plaintiff was transferred to a different institution, and did not file a notice of
7 change of address. Instead, Defendant filed a notice on Plaintiff's behalf. (See ECF No. 32).

8 Overall, it appears that Plaintiff has stopped prosecuting this case. In fact, Plaintiff has
9 not filed anything in this case for over a year. Accordingly, the Court will order Plaintiff to show
10 cause why this case should not be dismissed for failure to comply with court orders and failure to
11 prosecute.

12 Accordingly, it is HEREBY ORDERED that, within thirty (30) days from the date of
13 service of this order, Plaintiff shall show cause why this case should not be dismissed, with
14 prejudice, for failure to comply with court orders and failure to prosecute.

15 If Plaintiff fails to file a response the Court will recommend to a district judge that this
16 case be dismissed, with prejudice, for failure to comply with court orders and failure to prosecute.

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18 IT IS SO ORDERED.

19 Dated: **June 28, 2021**

/s/ Eric P. Gray
20 UNITED STATES MAGISTRATE JUDGE
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